

Motion Denied; Appeal Abated and Memorandum Opinion filed May 14, 2015.



In The

Fourteenth Court of Appeals

NO. 14-15-00411-CR

MATTHEW CONARD NELSON, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 351st District Court
Harris County, Texas
Trial Court Cause No. 1333593**

M E M O R A N D U M O P I N I O N

On May 6, 2015, this court was formally notified of appellant's death and furnished a copy of appellant's death certificate. The death of an appellant during the pendency of an appeal deprives this court of jurisdiction. *See Ryan v. State*, 891 S.W.2d 275 (Tex. Crim. App. 1994). When an appellant dies after an appeal is perfected but before this court issues the mandate, the appeal is to be permanently

abated. *See* Tex. R. App. P. 7.1(a)(2). Accordingly, we deny the motion to dismiss the appeal and order the appeal permanently abated.

PER CURIAM

Panel consists of Justices Boyce, McCally and Donovan.
Do Not Publish – Tex. R. App. P. 47.2(b).